

AMENDED IN SENATE AUGUST 7, 2006

AMENDED IN ASSEMBLY MAY 10, 2006

AMENDED IN ASSEMBLY MAY 2, 2006

AMENDED IN ASSEMBLY APRIL 5, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1880

Introduced by Assembly Member Blakeslee

January 19, 2006

An act to add Section ~~7200.08~~ 7202.5 to the Welfare and Institutions Code, relating to mental institutions.

LEGISLATIVE COUNSEL'S DIGEST

AB 1880, as amended, Blakeslee. State Hospitals: care of the mentally disordered.

Under existing law, the State Department of Mental Health has jurisdiction over 5 hospitals, *including Atascadero State Hospital*, for the care, treatment, and education of the mentally disordered.

~~This bill would require the State Department of Mental Health to take specified actions with respect to the administration of state hospitals under the jurisdiction of the department, with respect to prohibiting the use of tobacco products in all state hospitals, except as provided.~~

This bill would require the Atascadero State Hospital director to develop a hospital-wide strategic plan that includes strategies to improve the health, therapeutic, and workplace environment with relation to the presence or use of tobacco products, as specified, to improve staff and patient safety, to decrease violent incidents and

reduce future violent incidents, to better utilize staff resources, and to increase local recruitment and improve staff retention. This bill would require the director, in developing the plan, to convene and consult with a task force consisting of representatives from specified entities. The bill would require the director to provide this report to the Atascadero State Hospital Advisory Board on or before June 30, 2007.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. Section 7202.5 is added to the Welfare and*
- 2 *Institutions Code, to read:*
- 3 *7202.5. (a) The Atascadero State Hospital director shall*
- 4 *develop a hospital-wide strategic plan that shall include, but not*
- 5 *be limited to, a description of all of the following:*
- 6 *(1) Strategies to improve the health, therapeutic, and*
- 7 *workplace environment as they relate to the presence or use of*
- 8 *tobacco products, including cigarettes, cigars, snuff, and*
- 9 *chewing tobacco, by all staff, visitors, patients, and persons on*
- 10 *hospital grounds.*
- 11 *(2) Strategies to improve staff and patient safety.*
- 12 *(3) Strategies to better manage incidents of violent and*
- 13 *aggressive behavior at the hospital, and to reduce the number of*
- 14 *these incidents.*
- 15 *(4) Strategies to better utilize hospital staff resources.*
- 16 *(5) Strategies to increase local recruitment and improve*
- 17 *hospital staff retention.*
- 18 *(b) The director shall develop this plan by convening and*
- 19 *consulting with a task force consisting of one representative each*
- 20 *from, and nominated by:*
- 21 *(1) Protection and Advocacy, Inc.*
- 22 *(2) The California Medical Association.*
- 23 *(3) The California Psychological Association.*
- 24 *(4) The California Psychiatric Association.*
- 25 *(5) State Bargaining Unit 16.*
- 26 *(6) State Bargaining Unit 17.*
- 27 *(7) State Bargaining Unit 18.*
- 28 *(8) State Bargaining Unit 19.*

1 (9) *State Bargaining Unit 20.*

2 (c) *The task force provided for in subdivision (b) shall provide*
3 *consultation to the director in developing the strategies*
4 *described in paragraphs (1) to (5), inclusive, of subdivision (a).*

5 (d) *The hospital director shall provide the completed*
6 *hospital-wide strategic plan to the Atascadero State Hospital*
7 *Advisory Board on or before June 30, 2007.*

8 ~~SECTION 1. Section 7200.08 is added to the Welfare and~~
9 ~~Institutions Code, to read:~~

10 ~~7200.08. Notwithstanding any other provision of law, the~~
11 ~~State Department of Mental Health shall take both of the~~
12 ~~following actions with respect to state hospitals under the~~
13 ~~jurisdiction of the department:~~

14 ~~(a) Adopt regulations prohibiting the use of tobacco products~~
15 ~~by patients in all state hospitals, with the exception of the use of~~
16 ~~tobacco products in religious rites or ceremonies approved by the~~
17 ~~department.~~

18 ~~(b) Prohibit the use of tobacco products by any person not~~
19 ~~covered by subdivision (a), on the grounds of a state hospital,~~
20 ~~with the exception of the use of tobacco in a designated smoking~~
21 ~~area for staff and others where patients are not present.~~